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Plaintiff - *In Pro Se*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

SAMUEL BERNARD JOHNSON III,  
Plaintiff,

vs.

CHEVRON CORPORATION, a Delaware  
corporation, CHEVRON CORPORATION  
LONG-TERM DISABILITY PLAN  
ORGANIZATION, a Delaware corporation,  
CHEVRON ENVIRONMENTAL  
MANAGEMENT COMPANY, a California  
corporation, CATHERINE DREW,  
KATHRYN M. GALLACHER, ROBERT  
SCHMITT, HARALD SMEDAL, SUSAN  
J. SOLGER, SELLERS STOUGH,  
KRYSTAL TRAN, DEBBIE WONG,  
GARY A. YAMASHITA, and DOES 1-5,

Defendants

Case No.: C 07-05756 SI (JCS)

**PLAINTIFF'S EX PARTE MOTION TO  
FILE UNDER SEAL CERTAIN  
DOCUMENTS**

1 Plaintiff Johnson hereby moves the Court for an Ex Parte Motion pursuant to Civil Local  
2 Rules 7-10 and 7-11 for an order to file under seal Plaintiff's Response to Court's August 14, and  
3 19, 2008, Order to Have the First Amended Complaint Filed Under Seal pursuant to Civil Local  
4 Rule 79-5(c). The facts in support of Plaintiff's Motion to File Under Seal are stated in the  
5 following documents:

- 6 1. Plaintiff's Response to Court's August 14, and 19, 2008, Orders to Have the First  
7 Amended Complaint Made Public or Filed Under Seal; and
- 8 2. Declaration of Samuel Bernard Johnson III In Support of Plaintiff's Response to  
9 Court's August 14, and 19, 2008, Orders to Have the First Amended Complaint  
10 Made Public or Filed Under Seal.

11 Plaintiff Johnson is mindful of the Court's August 14, 2008, Order wherein it stated that  
12 the Court is not inclined to file this or any subsequent similar documents under seal. These  
13 proceedings are public ones and, absent a showing of good cause, this Court will not approve any  
14 further stipulations concerning filing under seal. *See* August 14, 2008, Order at 3:6-7. Given  
15 such, Plaintiff Johnson files this Ex Parte Motion and other supporting pleadings seeking leave  
16 from the Court to file under seal Plaintiff's Response to Court's August 14, and 19, 2008, Orders  
17 to have the First Amended Complaint Made Public or Filed Under Seal. Plaintiff Johnson  
18 contends that in order to provide a response to the Court's August 14, and 19, 2008, Orders,  
19 Plaintiff Johnson has to provide the Court with confidential medical information that he would  
20 like to have withheld from the general public through the Court's open policy of making its  
21 records available to the public. Plaintiff Johnson further contends that there is no other way to  
22 present such an argument to persuade the Court to seal the First Amended Complaint from the  
23 general public, but to provide the Court legal authorities and a persuasive argument that will in  
24 fact reveal Plaintiff Johnson's confidential medical information if he was to file such a  
25 responsive pleading through the Court's Electronic Court Filing system. By doing such, Plaintiff  
26 Johnson would in fact be making his confidential medical condition made public in which he  
27 desires not to.

28 Plaintiff Johnson also informs the Court that there is no need to provide a declaration on

1 any attempts to obtain a stipulation from Counsel for Chevron on this matter as the Court clearly  
2 stated that it would not entertain any more stipulations to file documents under seal. Basically, a  
3 party wishing to seal a document must provide the Court through the filing of a proper pleading  
4 with good cause to have a document placed under seal. Given such, Plaintiff Johnson now files  
5 such responsive pleadings providing the Court with the basis that good cause does exist to file  
6 certain documents under seal including the operative First Amended Complaint.

7 With the above in mind, Plaintiff Johnson contends that good cause does exists to file  
8 portions of the First Amended Complaint Under Seal and respectfully requests that the Court do  
9 grant the relief that he seeks by the filing of this pleading and any other supporting pleadings.  
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11 /s/

12 Dated this 22<sup>nd</sup> day August of 2008

13 SAMUEL BERNARD JOHNSON III  
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